

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CIVIL MISCELLANEOUS APPEAL No.209 OF 2010

JUDGMENT:

Heard learned Standing Counsel for the appellant-Insurance Company.

The main ground agitated is that type of licence which the deceased was holding was for a different type of vehicle i.e., Transport Vehicle, but he was driving Light Motor Vehicle (Non-Transport). Of course, he placed reliance in **Mukund Dewangan v. Oriental Insurance Company Limited**¹. But, yet the decision or law to be declared by the Hon'ble Apex Court by a Larger Bench is awaited, even according to the learned Standing Counsel for the appellant.

In such an event, certainly, there cannot be any merit in the present Civil Miscellaneous Appeal.

Therefore, the present Civil Miscellaneous Appeal is dismissed confirming the order under challenge. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions if any pending in the Civil Miscellaneous Appeal shall stand closed.

A.SHANKAR NARAYANA,J

Dt. 19.06.2018
gbs

¹ (2016) 4 SCC 298